# Community Asset Transfer FAQs

## Purpose of This Document:

This FAQ document explains the Community Asset Transfer (CAT) process for parish councils. It is designed to help you:

- Understand what CAT is and why it is happening now.
- Navigate the steps involved in expressing interest and transferring assets.
- Identify benefits, risks, and responsibilities.
- Access support and key contacts at Tandridge District Council (TDC).

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# Background and context

**What is a Community Asset Transfer (CAT)?**

A Community Asset Transfer (CAT) is when the Council hands over ownership or long-term responsibility of community assets to eligible community organisations, usually at less than market value. This helps ensure public spaces like parks, playgrounds, and pavilions continue to be managed locally, sustainably, and in the interests of the community.

**Why is this happening now?**

The asset transfer scheme began in September 2024, during the Future Tandridge Programme, when the council initiated a review of the cost of community assets. This included consideration of Community Asset Transfers (CAT) as a way of reducing ongoing costs to the Council.

That was well before Local Government Reorganisation. But LGR affects the programme and in order to deliver the District Council to the new Unitary with the lowest cost base possible, the CAT programme has to be accelerated so that all governance is properly carried out and details agreed before this council ceases to exist.

The Council approved its CAT policy on 19th May 2025. This sets out the process for assessing the suitability of assets for transfer, including the eligibility and suitability of the organisation applying, its financial and managerial capability and the legal due diligence required, to ensure that assets can be transferred.

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**What types of assets are eligible for transfer?**

Assets eligible for transfer typically include:

- Playgrounds
- Public conveniences
- Community centres
- Allotments
- Recreation grounds
- Amenity land
- Pavilions
- Car parks (a business case required)

**What are the benefits of a CAT to parish councils?**

- Local control and flexibility
- Faster decision-making
- Better community engagement

- Access to funding not available to the district
- Preservation of local identity
- Reduced pressure on district budgets

**What are the risks?**

- Ongoing maintenance and repair costs
- Legal and insurance responsibilities
- Potential for unexpected liabilities
- Importance of proper due diligence before acceptance

**What if we choose not to take on the asset?**

If a parish council chooses not to take on an asset, it remains in the hands of the district and later Unitary Authority, who will determine how to manage it.

**How are existing leases handled?**

Any existing leases will transfer to the parish council as part of the CAT. Lease terms are reviewed during legal due diligence to ensure clarity.

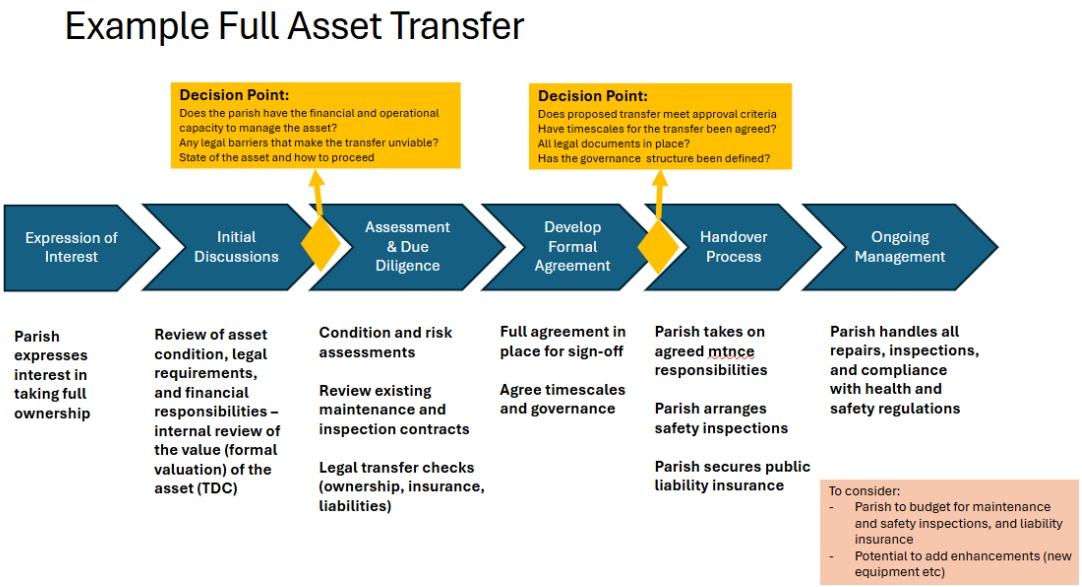
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## Timelines & Deadlines

**What are the key deadlines in the CAT process?**

- There are no fixed dates, but the Council is aiming to progress transfers quickly, especially in light of LGR and future capacity constraints, with the aim of transferring the lowest cost base practicable. The end of the TDC financial year is March 2026.
- EOIs submitted later may be processed in a second phase.
- Current S&R Committee dates:
    - 25 September 2025
    - 27 November 2025

**What are the steps involved with an asset transfer?**




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## Expression of Interest (EOI)

**What is an Expression of Interest (EOI)?**

An EOI is a formal expression of interest in an asset. It outlines your reasons for the transfer, community benefit, financial capacity, and management plans.

**Is the EOI binding?**

No. It begins the process and informs due diligence but does not commit you to taking on the asset.

**What does "prioritisation of assets" mean?**

We are asking parishes to prioritise their assets when submitting Expressions of Interest (EOIs). You may wish to identify your top three priority assets or list all assets in order of priority.

This helps our legal team structure their initial checks and ensures that your highest-priority assets are reviewed first. In turn, this will support you in progressing more quickly with the transfer process.

**What does a good EOI look like?**

**Section 5 - Applicant Interest & Community Benefit:**

You may wish to include:

> **Clear Purpose** – explain why you want the asset — what's at stake or what opportunity it offers.

- **Community Benefit** – show how the asset will directly benefit local people (e.g. nature, wellbeing, activities, inclusion).
- **Local Relevance** – link to local plans, priorities, or policies (e.g. Neighbourhood Plan, environmental designations).
- **Credibility** – highlight your group's connection to the asset and ability to manage it long-term.
- **Specific and Practical Plans** – be concrete — avoid vague statements. Say what you will do, who it is for, and how it helps.

**Section 6 – Financial Viability**

Please attach the latest copy of your accounts. You may also wish to include the following information:

- **Organisational Overview & Funding Source** – describe your organisation's nature and core funding streams (e.g., precept, CIL payments, grants).
- **Relevant Asset Management Experience** – note past or current land/property management, including insurance and liability.
- **Governance and Oversight** – detail key skillsets within your council and any structures for asset oversight.
- **Financial Health Summary** – outline income, reserves, and capacity for ongoing maintenance.
- **Risk and Resilience** – describe your approach to risk management and any contingency planning.
- **Asset-Specific Capacity** – confirm your ability to maintain and insure the asset.

**What happens if we do not pass your due diligence?**

We will contact you to explain any concerns or missing information. Our parish engagement officer will support you in addressing the issues and possibly revising your EOI.

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## Transfer Models

**What do the different Transfer Models (1, 2 or 3) mean?**

| Model Type | Description | Ownership | Financial implications | Best suited for |
|---|---|---|---|---|
| **Model 1** Full asset transfer | The parish council takes full legal ownership of the asset, including transferring the freehold. | Full ownership transfers to the parish council. | Parish funds all ongoing costs including maintenance, insurance, and compliance. | Parishes wanting full ownership, full control, and full responsibility for the asset. |
| **Model 2** Full asset transfer (shared service contract) | The parish takes full ownership including freehold transfer but continues to access district-held service contracts for services like cleaning and grounds maintenance. | Full ownership transfers to the parish council. | Parish funds services directly but benefits from district-managed procurement arrangements. | Parishes wanting ownership with the convenience of continuing district-managed services. |
| **Model 3** Collaborative management agreement (parish stewardship) | The district retains ownership, but the parish agrees to contribute financially toward upkeep. | Ownership remains with the district council. | Parish contributes financially toward maintenance but does not carry full responsibility. | Parishes wanting local input but lacking capacity or resources for full ownership. |

**Can parishes express a preference for a particular model?**

Yes, there is a chance to state this in your EOI.

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## Financial Considerations

**What are the typical running costs for transferred assets?**

- Utilities (electricity, water, gas etc)
- Insurance (public liability and building insurance)
- Repairs and maintenance

- Cleaning and security of the asset

**Are there any service contracts in place (utilities, grounds maintenance etc)?**

- Tivoli – external supplier that TDC have a contract with for grounds maintenance on amenity land, sports & rec grounds and play areas
- SafePlay – external contractor TDC have a contract with to carry out inspections on playgrounds and play areas
- Bentons – For tree management, TDC uses an external contractor (Bentons Arboriculture to carry out any required works).

**What is the cost of the transfer?**

There is no fee charged by TDC to complete the transfer itself. However, parishes should budget for their own associated costs, which may include:

- Legal advice
- Insurance
- Ongoing maintenance
- Any service arrangements post-transfer

Where relevant, TDC will provide indicative cost information to help with planning, but detailed breakdowns may not always be available.

**Can we receive specific costings of assets?**

We will provide you with indicative costs of assets. Site-specific. Breakdowns may not always be available, especially where costs are grouped under wider district contracts. Parishes are encouraged to use the indicative figures as a baseline and adjust based on local knowledge, contractor quotes, or future plans.

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## Legal Considerations

**Do we need our own legal advice?**

Yes, it is advised that you seek your own legal advice when it comes to drawing the contracts.

**What does unregistered land mean?**
Unregistered land is property that has not yet been recorded with HM Land Registry, meaning there is no official title or digital record confirming ownership.

**What this means for you:**

- Legal checks may take longer, as historical paper documents must be reviewed.
- Boundaries and ownership details may be less clear or disputed.

- The land can usually be retransferred and registered as part of the same transaction.

**What does "held in trust" mean?**

If land is held in trust, the council manages it for a specific purpose or group, often with legal restrictions (e.g. "must remain a public recreation space").

**What this means for you:**

- The asset may have use restrictions.
- Transfers must align with the original trust purpose.
- Additional legal steps or permissions may be needed.

This will be identified during legal checks and discussed with you if relevant.

**What happens if an asset is not owned by TDC?**

We will provide information on who owns the asset you have submitted an EOI for following our initial legal due diligence. If the owner is not TDC, parishes are encouraged to contact the owner if they wish to continue discussions about a transfer.

**Can you provide us with specific site maps?**

Title plans and title deeds should be requested by your solicitor once the contract process commences.

**What is the valuation process?**

As part of the CAT process, the Council's Asset Management team undertakes a valuation on the proposed assets to ensure transparency, support internal decision-making, determine whether the asset meets the thresholds as to what can be transferred and inform any legal or financial terms of the transfer. In most cases valuations are carried out by an internal valuer/external contractor where they will assess the asset and may provide several different types of valuations, depending on the nature of the property and the context of the transfer. The valuation report is shared once completed. It is important to note that the valuation is not a price or charge to the parish, it is a reference point to understand the asset's value under different scenarios.

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## Governance & Committee Decisions

**What is the role of the Strategy & Resources Committee?**

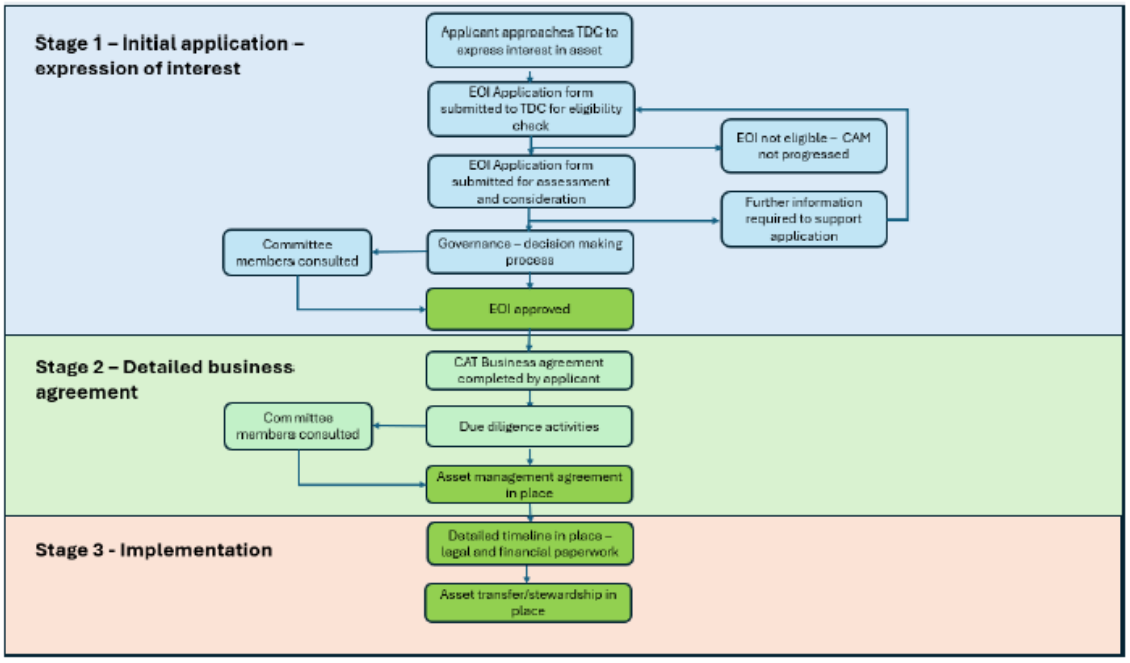
The S&R Committee reviews proposals and decides whether an asset can proceed to transfer.

**Which assets are going to committee and why?**

The assets which were taken to the August committee passed initial legal checks and were confirmed as TDC-owned with no legal complications. The parishes' Expressions of Interest passed internal due diligence, and we consider these transfers to be low risk.

Members approved the transfers to progress. We now have several assets which are in this green category

**Approval process**




**What happens if the assets we are interested in are not included this time?**

- The asset may have legal complications or is still undergoing checks
- It could be considered at the next committee date (25th September)
- You will be kept informed

**S&R 7 August Update:**

- Members approved the following assets to proceed to transfer:
- Station Road Public Convenience, Whyteleafe
- Saxonwold, Woldingham
- Barnetts Shaw play area, Oxted
- Boulthurst Way Play area and amenity land, Oxted
- For a model 3 approach the following assets were approved for the parish to consider contribution to:
- Mint Walk Play Area, Warlingham
- Hamsey Green Play Area, Warlingham

## Support & Contact Points

**Primary contact:**
Amy Field – CAT Parish Engagement Officer
Email: afield@tandridge.gov.uk

Amy can:

- Answer questions about the process
- Support parishes in preparing EOIs
- Escalate concerns to project leads or TDC officers

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## Other Common Questions

**Will Surrey County Council also be undertaking asset transfers?**

- Currently it is just TDC transferring assets. We have no news of SCC transferring assets.

**What will happen to bin collection?**

The local authority as the principal litter authority, is only liable for clearance of land under its ownership or control.

*Environment Protection Act 1990 -*

*Section 89 Duty to keep land and highways clear of litter etc.*

*(1) It shall be the duty of—*

*(a) each local authority, as respects any relevant highway or, in Scotland, relevant road for which it is responsible…*

*(b) each principal litter authority, as respects its relevant land,*

*Section 86 defines relevant land -*

*(4) ...land is "relevant land" of a principal litter authority if, not being relevant land falling within subsection (7) (educational) below, it is open to the air and is land (but not a highway or in Scotland a public road) which is under the direct control of such an authority to which the public are entitled or permitted to have access with or without payment.*

When an asset is transferred to a parish council, responsibility for litter and dog waste bins usually passes to the parish. TDC does not have a statutory duty to empty bins on transferred land, but will continue to do so while it remains the district council.

In some cases, TDC may continue providing bin services temporarily, subject to Community Services Committee agreement, at least until the end of 2026/27.

Arrangements for bins on transferred assets will be discussed individually with each parish.

**Will you be improving the condition of our asset before transfer?**

- TDC will bring assets up to a reasonable standard before transfer. We will discuss this with you asset by asset.

**For parishes who haven't engaged yet**:

We encourage all parishes who are considering submitting an Expression of Interest (EOI) for a Community Asset Transfer to contact TDC as soon as possible. Early contact helps us to:

- Understand the potential demand and estimate how many EOIs we may receive.
- Plan the allocation of legal resources and schedule due diligence effectively.
- Prepare for upcoming Committee meetings.
- Obtain guidance from our legal team on realistic timelines for asset transfers.
- We are happy to provide support and information to help you begin the process. Even if you are only considering submitting an EOI, reaching out will help us provide the right guidance and ensure the process runs smoothly.

**What will model 3 look like in the new unitary?**

- While we can't predict unitary authority decisions, one of the motivations behind model 3 is to put the asset on a more sustainable financial footing which may support the asset going forward.